

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

James G. MCERLEAN et al.

Serial No. 10/634,992

Filed: August 6, 2003



Group Art Unit: 3721

Examiner:

For: AUTOMATED CONTAINER BULKING SYSTEM AND METHOD OPTIONALLY  
INTEGRATED WITH AUTOMATED DISPENSING SYSTEM AND/OR  
AUTOMATED LABELING AND PACKAGING SYSTEM

**INFORMATION DISCLOSURE STATEMENT**

Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached form PTO-1449. It is respectfully requested that the documents be expressly considered during the prosecution of this application, and that the documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom. Copies of any cited U.S. Patents and U.S. Patent Publications are not being submitted in accordance with 37 CFR 1.98(a)(2)(i).

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No certification or fee is required.

In accordance with 37 C.F.R. § 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search had been made or that information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item, and Applicant reserves the

right to prove that the date of publication is in fact different.

The references listed on Sheet 1 of Form PTO-1449 were cited by or submitted to the U.S. Patent and Trademark Office in parent application Serial No. 10/215,249, filed August 9, 2002, which is relied upon for an earlier filing date under 35 USC § 120. Copies of these references are not attached under 37 CFR 1.98(d).

Applicants' representative certifies that the documents listed on Sheet 2 of Form PTO-1449 were cited in a communication from the European Patent Office in a counterpart foreign application not more than three months before the filing date of this Information Disclosure Statement.

Copies of the non-U.S. documents listed on Sheet 3 of Form PTO-1449, some of which were cited in the prosecution of the corresponding PCT patent applications, are enclosed. A copy of the search reports for the PCT patent application is also enclosed.

No fee is believed to be required, however, the Commissioner is authorized to charge any deficiency in any fees pursuant to 37 CFR § 1.17 associated with this communication and to credit any excess payment to Deposit Account No. 08-0219.

Respectfully submitted,

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<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> (PTO-1449)				ATTY. DOCKET NO. 103864.139US1	SERIAL NO. 10/634,992	
				APPLICANT James G. MCERLEAN et al.		
				FILING DATE August 6, 2003	GROUP 3721	
<b>U.S. PATENT DOCUMENTS</b>						
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	3,703,834	11/28/72	Beezer			1/25/71
	4,835,730	5/30/89	Shimano et al.			2/27/87
	5,208,762	5/4/93	Charhut et al.			12/6/90
	6,230,927	5/15/01	Schoonan et al.			3/9/99
	6,471,089	10/29/02	Liff et al.			3/7/02
	6,580,968	6/17/03	Yuyama et al.			11/21/00
<b>FOREIGN PATENT DOCUMENTS</b>						
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation
						Yes
	2,226,379	1/30/97	Canada			X
<b>OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)</b>						
EXAMINER			DATE CONSIDERED			

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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